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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,083	11/03/2003	Darin C. Glatt	886-459	2807
36600 7590 01/03/2011 SOFFER & HAROUN LLP. 317 MADISON AVENUE, SUITE 910 NEW YORK, NY 10017				
EXAMINER				
VU, VIET DUY				
ART UNIT		PAPER NUMBER		
24-48				
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01/03/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/700,083

Applicant(s)

GLATT ET AL.

Examiner

Viet Vu

Art Unit

2448

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 22-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-15, 22-24 and 26-36 is/are rejected.
- 7) ☒ Claim(s) 4 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Art Rejections:

1. The text of 35 USC 103(a) not cited here can be found in previous office action.
2. Claims 1-3, 5-15, 22-24 and 26-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng et al, U.S. pat. No. 6,131,096, in view of Marwell, U.S. pat. No. 6,404,884.

Per claims 1 and 7-14, Ng teaches a method for configuring a client (second) device to perform data synchronization with a database server (first) device comprising:

- a) storing at the server personal contact information in a folder associated with a user (see col 4, lines 1-19);
- b) receiving a communication at the server from the user wherein a profile including the folder associated with the user is identified by the system using a code (i.e., userID) identifying the user (col 7, lines 50-62);
- c) as part of the received communication receiving a request for synchronization of a second set of personal contacts from a PIM of the user with the personal contacts in the folder at the system associated with the user (col 7, lines 63-64);
- d) transmitting from the first server device to the second client device, via a communication connection, instructions (HTML data) for generating a web-based interface on the second

device, the user interface being programmed to elicit from a user at the second device information (UserID) identifying a personal information manager (PIM) used on the second device, and to transmit the information to the first device via the communication connection (see col 7, lines 50-62);

e) providing to the second device via the communication connection a synchronization package including a synchronization application (col 7, lines 65-67), the synchronization application being installed on the second device by the web-based interface (col 8, lines 3-6), the web-based interface also being programmed to elicit from the user synchronization information regarding data to be synchronized, and to provide the synchronization information to the synchronization application installed on the second device (see col 8, lines 6-19).

Ng also teaches that the first server device comprises a web server for exchanging data with the client using a conventional web-based interface (see col 3, lines 65-67 and col 4, lines 51-53).

Ng does not teach a directory assistance system. The use of a directory assistance system for maintaining user's contact information is well known in the art as disclosed by Marwell (see Marwell in cols 1-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Ng's teachings in any known personal contact databases including directory assistance system because it would have allowed easy of synchronizing contact data between the server and client (see Ng in col 2, lines 1-8).

Per claims 2-3 and 5-6, Ng's teachings encompass all claim limitations (see Ng in col 6, lines 12-28).

Per claim 15, Ng teaches that the devices can communicate with each other wirelessly (see Ng in col 10, lines 26-27).

Claims 22-24 and 26-36 are similar in scope as that of claims 1-3 and 5-15.

Allowable Subject Matter:

3. Claims 4 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments:

4. Applicant's arguments filed on December 16, 2010 with respect to claims 1-3, 5-15, 22-24 and 26-36 are deemed moot in view of new grounds of rejection set forth above.

Art Unit: 2448

Conclusion:

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2400. The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer, can be reached on 571-272-6703.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Viet Vu/
Primary Examiner, Art Unit 2448
12/28/10